

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

Case No. 04-00021-01-CR-W-GAF

KEVIN D. HILKE,)

Defendant.)

ORDER

On August 10, 2005, a hearing was held on the issue of defendant Kevin D. Hilke's competency.

On August 11, 2005, United States Magistrate Judge Sarah W. Hays issued her Report and Recommendation.

Upon careful and independent review of the record, as well as the applicable law, and there being no objections filed to the Report and Recommendation, this Court hereby adopts and incorporates as its own Opinion and Order the Report and Recommendation of United States Magistrate Judge Sarah W. Hays.

Accordingly, it is

ORDERED that defendant is not currently suffering from a mental disease or defect which would prevent him from understanding the nature and consequences of the proceedings against him or assisting in his own defense and that he is competent to stand trial.

/s/ Gary A. Fenner
GARY A. FENNER, JUDGE
United States District Court

DATED: August 24, 2005

/s/ Gary A. Fenner

GARY A. FENNER, JUDGE
United States District Court

DATED: January 7, 2003